

Regular Session, 2010

HOUSE BILL NO. 907

BY REPRESENTATIVE ARNOLD

ALCOHOLIC BEVERAGE PERMT: Prohibits the issuance of permits for dealers in beverages of low alcoholic content to certain manufacturers

1 AN ACT

2 To amend and reenact R.S. 26:273(A)(2), relative to wholesaler dealer's permits; to provide
3 for limitations of issuance of wholesaler dealer's permits; to provide with respect to
4 exceptions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 26:273(A)(2) is hereby amended and reenacted to read as follows:

7 §273. Limitations on the issuance of state permits; exceptions

8 A. The commissioner shall not:

9 * * *

10 (2) Issue a wholesale dealer's permit to a person or his spouse possessing a
11 manufacturer's permit, retail dealer's permit of either Class A or Class B, or a
12 microbrewer's permit. This prohibition does not apply to persons who have held
13 both wholesale dealer's and retail dealer's permits continuously since July 31, 1946.
14 ~~This prohibition does not apply to any person who has been recognized as an out-of-~~
15 ~~state manufacturer and who has held a Louisiana wholesale dealer permit for at least~~
16 ~~fifteen years prior to January 31, 2003.~~

17 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Arnold

HB No. 907

Abstract: Deletes an exception to the general rule that a wholesale dealer's permit shall not be issued to a manufacturer of beverages of low alcoholic content.

Present law requires that, before engaging in the business of dealing in malt beverages or beverages of low alcoholic content, all manufacturers, wholesale and retail dealers, and microbrewers shall obtain from the commissioner of alcohol and tobacco control an annual permit to conduct each separate manufacturing, wholesale, retail, or microbrewery business.

Present law provides that the commissioner shall not issue a wholesale dealer's permit to a person or his spouse possessing a manufacturer's permit, retail dealer's permit of either Class A or Class B, or a microbrewer's permit.

Present law exempts the following from the prohibition in present law.

- (1) Persons who have held both wholesale dealer's and retail dealer's permits continuously since July 31, 1946.
- (2) Any person who has been recognized as an out-of-state manufacturer and who has held a La. wholesale dealer permit for at least 15 years prior to Jan. 31, 2003.

Proposed law removes the exception to the prohibition in present law for any person who has been recognized as an out-of-state manufacturer and who has held a La. wholesale dealer permit for at least 15 years prior to Jan. 31, 2003.

(Amends R.S. 26:273(A)(2))